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#### REMARKS

This Amendment is responsive to the Office Action identified above, and is further responsive in any manner indicated below.

#### PENDING CLAIMS

Claims 17-46 were pending for examination and consideration in the noted application. Unrelated to any prior art, scope adjustment or rejection, appropriate claims have been amended in order to adjust a clarity and/or focus of Applicant's invention. That is, all such changes are simply clarified claims in which Applicant is presently interested. At entry of this paper, Claims 17-46 remain pending for consideration and examination in the present application.

#### ALLOWED CLAIMS

Claims 17-30 have been allowed in the application, as indicated on page 4 of the Office Action. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

#### REWRITTEN ALLOWABLE CLAIMS

Claims 41 and 42 were indicated as being allowable if rewritten as indicated in the section "Allowable Subject Matter" on page 4 of the final Office Action, and Applicant and the undersigned respectfully thank the Examiner for such indication of potentially allowable subject matter. Since Claim 41 has been rewritten herein to overcome the objections to the claims, Applicant respectfully submits that Claims 41

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and 42 are now in condition for allowance. Reconsideration and express written allowance of claims 41-42 are respectfully requested.

### REJECTION UNDER 35 USC §102

The 35 USC §102 rejection of Claims 31-40 and 44-46 as being anticipated by Nagata *et al.* (US 4,959,788 A) is respectfully traversed. All descriptions of Applicant's disclosed and claimed invention, all descriptions and rebuttal arguments regarding the applied prior art, and all citations of court decisions as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

In order to properly support a §102 anticipation-type rejection, the reference must teach the specific limitations of the claimed invention. However, the cited art does not adequately support a §102 anticipation-type rejection because it does not, at minimum, disclose (or suggest) the following discussed limitations of Applicant's claimed invention.

Nagata *et al.* couldn't possibly support a §102 anticipation-type rejection, because Nagata *et al.*'s arrangements deal only with storing pre-instructions (of a transaction to be conducted), and Nagata *et al.*'s IC card at no time stores, accepts or receives electronic money. More particularly, it is important to note/realize that Applicant's disclosed and claimed invention operates in a contemporary "electronic money" world. That is, money is stored electronically as electronic money, and such

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electronic money is stored, transferred, decremented, supplemented to/from/within Applicant's "electronic purse" IC card. If \$100 of electronic money is stored within the electronic purse IC card, and the card is lost, then \$100 is lost (just like losing a physical \$100 bill).

In contrast, Nagata *et al.*'s disclosure is a non-electronic-money IC card in which data necessary for a transaction with a financial institution such as a bank or credit company can be at least partially entered prior to visiting an automatic transaction processing unit, thereby reducing the time required at the unit to complete processing of the transaction. Regarding money, Nagata *et al.*'s processing unit deals only with physical (not electronic) money. More particularly, note that Nagata *et al.*'s processing unit uses a paper receiving portion 19 to receive bank notes (i.e., paper money) the customer inserts during the transaction, and uses a paper discharging portion 20 to give bank notes (i.e., paper money) to the customer (see, for example, Nagata *et al.*'s Column 8, lines 5-9, and similar portions).

In terms of distinguishing claim limitations, Applicant's independent Claim 31, for example, recites (in part) "an electronic purse for processing electronic money information stored in an IC card, comprising:...a lump sum transmission instruction module to allow a user to input instructions to transmit in a lump a predetermined amount of said electronic money information stored in said IC card; and a lump sum transmission instruction detecting unit to detect an operation of said lump sum transmission instruction module, wherein, when said lump sum transmission instruction detecting unit detects said operation of said lump sum transmission

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Instruction module, said operation control unit controls so that the predetermined amount of said electronic money information stored in said IC card is transmitted in a lump to said external device via said transmission unit without a further operation for inputting a value showing an amount to be transmitted in a lump.”  
Clearly, Nagata *et al.*'s IC card is not an electronic purse storing/transferring electronic money, and instead, is nothing more than a memory for storing intended future transactions. Nagata *et al.*'s keyboarding entry of a “transaction amount” is nothing more than keyboarded numbers, *i.e.*, a total, pertaining to physical dollars that the user intends to obtain or deposit.

Other ones of Applicant's Claims 32-40 and 43-46 contain similar or analogous limitations.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

In the present invention as defined by Claims 31-40 and 43-46, a predetermined amount of money is withdrawn from or added to the IC card when a lump sum transmission button is pressed. This feature is not disclosed or suggested by Nagata *et al.* Nagata *et al.* discloses that a user refers to the amount of money set to the IC card, and then operates “paper receiving portion 19” and “paper discharge portion 20,” which are provided separately from the IC card. However, Nagata *et al.* is silent about transmission of electronic money from the IC card. Further, Nagata *et al.* does not disclose that data of the IC card is increased or decreased (no data is added to or subtracted from the IC card in Nagata *et al.*)

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Nagata *et al.* merely states that data are read from the IC card and compared with each other.

It should be noted that Nagata *et al.* basically aims to have the IC card user handle an actual bank note. In contrast, present Claims 31-40 and 43-46 are directed to processing electronic money transactions. Accordingly, important features/limitations of the present invention, namely, electronic money limitations cannot be anticipated by Nagata *et al.* Regarding further evidence that electronic money flow to/from Applicant's electronic purse, attention is directed to Applicant's FIG. 1 "Remittance Direction Switching Unit" and "Transfer Direction Of Electronic Money Information" so as to directly control the IC card inserted for transmitting electronic money.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a §102 anticipatory-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such §102 rejection, and express written allowance of all of the §102 rejected claims, are respectfully requested. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next Action final.

#### ENTRY AFTER FINAL REJECTION

For all of the foregoing reasons, Applicant submits that the present paper should be entered since it places the rejected claims in condition for allowance by complying with the Examiner's requirements and/or amending and/or arguing the

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claims to distinguish such claims from the applied prior art. Alternatively, this response should be entered since materially reduces issues on appeal.

### RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

### EXAMINER INVITED TO TELEPHONE

The Examiner is invited to telephone the undersigned at the local D.C. area number of 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

### CONCLUSION

This Amendment After Final Rejection is being submitted within the shortened statutory period for response set by the final Office Action mailed 30 December 2004, and accordingly, no Petition or extension fee is required. To whatever other

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extent is actually necessary and appropriate, Applicant respectfully petitions for an extension of time under 37 CFR §1.136. Further, no additional claim fees are required for entry of this paper. Please charge any actual deficiency in fees to ATSK Deposit Account No. 01-2135 (as Case No. 566.35562CX3).

Respectfully submitted,



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